

Adopted	Rejected
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COMMITTEE REPORT

YES: 10

NO: 0

MR. SPEAKER:

*Your Committee on Roads and Transportation, to which was referred Senate Bill 30, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 transportation.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 36-9-3-5 IS AMENDED TO READ AS
- 7 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) An authority is
- 8 under the control of a board (referred to as "the board" in this chapter)
- 9 that, except as provided in subsections (b) and (c), consists of:
- 10 (1) two (2) members appointed by the executive of each county in
- 11 the authority;
- 12 (2) one (1) member appointed by the executive of the largest
- 13 municipality in each county in the authority;
- 14 (3) one (1) member appointed by the executive of each second
- 15 class city in a county in the authority; and

- 1 (4) one (1) member from any other political subdivision that has
- 2 public transportation responsibilities in a county in the authority.
- 3 (b) An authority that includes a consolidated city is under the control
- 4 of a board consisting of the following:
- 5 (1) Two (2) members appointed by the executive of the county
- 6 having the consolidated city.
- 7 (2) One (1) member appointed by the board of commissioners of
- 8 the county having the consolidated city.
- 9 (3) One (1) member appointed by the executive of each other
- 10 county in the authority.
- 11 (4) Two (2) members appointed by the governor from a list of at
- 12 least five (5) names provided by the Indianapolis regional
- 13 transportation council.
- 14 (5) One (1) member representing the four (4) largest
- 15 municipalities in the authority located in a county other than a
- 16 county containing a consolidated city. The member shall be
- 17 appointed by the executives of the municipalities acting jointly.
- 18 (6) One (1) member representing the excluded cities located in a
- 19 county containing a consolidated city that are members of the
- 20 authority. The member shall be appointed by the executives of the
- 21 excluded cities acting jointly.
- 22 (7) One (1) member of a labor organization representing
- 23 employees of the authority who provide public transportation
- 24 services within the geographic jurisdiction of the authority. The
- 25 labor organization shall appoint the member.
- 26 (c) An authority that includes a county having a population of more
- 27 than four hundred thousand (400,000) but less than seven hundred
- 28 thousand (700,000) is under the control of a board consisting of the
- 29 following sixteen (16) members:
- 30 (1) Three (3) members appointed by the executive of a city with
- 31 a population of more than ninety thousand (90,000) but less than
- 32 one hundred five thousand (105,000).
- 33 (2) Two (2) members appointed by the executive of a city with a
- 34 population of more than seventy-five thousand (75,000) but less
- 35 than ninety thousand (90,000).
- 36 (3) One (1) member jointly appointed by the executives of the
- 37 following municipalities located within a county having a
- 38 population of more than four hundred thousand (400,000) but less

- 1 than seven hundred thousand (700,000):
- 2 (A) A city with a population of more than five thousand one
- 3 hundred thirty-five (5,135) but less than five thousand two
- 4 hundred (5,200).
- 5 (B) A city with a population of more than thirty-two thousand
- 6 (32,000) but less than thirty-two thousand eight hundred
- 7 (32,800).
- 8 (4) One (1) member who is jointly appointed by the fiscal body of
- 9 the following municipalities located within a county with a
- 10 population of more than four hundred thousand (400,000) but less
- 11 than seven hundred thousand (700,000):
- 12 (A) A town with a population of more than fifteen thousand
- 13 (15,000) but less than twenty thousand (20,000).
- 14 (B) A town with a population of more than twenty-three
- 15 thousand (23,000) but less than twenty-four thousand (24,000).
- 16 (C) A town with a population of more than twenty thousand
- 17 (20,000) but less than twenty-three thousand (23,000).
- 18 (5) One (1) member who is jointly appointed by the fiscal body of
- 19 the following municipalities located within a county with a
- 20 population of more than four hundred thousand (400,000) but less
- 21 than seven hundred thousand (700,000):
- 22 (A) A town with a population of more than eight thousand
- 23 (8,000) but less than nine thousand (9,000).
- 24 (B) A town with a population of more than twenty-four
- 25 thousand (24,000) but less than thirty thousand (30,000).
- 26 (C) A town with a population of more than twelve thousand
- 27 five hundred (12,500) but less than fifteen thousand (15,000).
- 28 (6) One (1) member who is jointly appointed by the following
- 29 authorities of municipalities located in a county having a
- 30 population of more than four hundred thousand (400,000) but less
- 31 than seven hundred thousand (700,000):
- 32 (A) The executive of a city with a population of more than
- 33 nineteen thousand eight hundred (19,800) but less than
- 34 twenty-one thousand (21,000).
- 35 (B) The fiscal body of a town with a population of more than
- 36 nine thousand (9,000) but less than twelve thousand five
- 37 hundred (12,500).
- 38 (C) The fiscal body of a town with a population of more than

- 1 five thousand (5,000) but less than eight thousand (8,000).
 2 (D) The fiscal body of a town with a population of less than
 3 one thousand five hundred (1,500).
 4 (E) The fiscal body of a town with a population of more than
 5 two thousand two hundred (2,200) but less than five thousand
 6 (5,000).
 7 (7) One (1) member appointed by the fiscal body of a town with
 8 a population of more than thirty thousand (30,000) located within
 9 a county with a population of more than four hundred thousand
 10 (400,000) but less than seven hundred thousand (700,000).
 11 (8) One (1) member who is jointly appointed by the following
 12 authorities of municipalities that are located within a county with
 13 a population of more than four hundred thousand (400,000) but
 14 less than seven hundred thousand (700,000):
 15 (A) The executive of a city having a population of more than
 16 twenty-five thousand (25,000) but less than twenty-seven
 17 thousand (27,000).
 18 (B) The executive of a city having a population of more than
 19 thirteen thousand nine hundred (13,900) but less than fourteen
 20 thousand two hundred (14,200).
 21 (C) The fiscal body of a town having a population of more than
 22 one thousand five hundred (1,500) but less than two thousand
 23 two hundred (2,200).
 24 (9) Three (3) members appointed by the fiscal body of a county
 25 with a population of more than four hundred thousand (400,000)
 26 but less than seven hundred thousand (700,000).
 27 (10) One (1) member appointed by the county executive of a
 28 county with a population of more than four hundred thousand
 29 (400,000) but less than seven hundred thousand (700,000).
 30 (11) One (1) member of a labor organization representing
 31 employees of the authority who provide public transportation
 32 services within the geographic jurisdiction of the authority. The
 33 labor organization shall appoint the member. If more than one (1)
 34 labor organization represents the employees of the authority, each
 35 organization shall submit one (1) name to the governor, and the
 36 governor shall appoint the member from the list of names
 37 submitted by the organizations.
 38 **(12) The executive of a city with a population of more than**

1 twenty-seven thousand four hundred (27,400) but less than
 2 twenty-eight thousand (28,000), located within a county with
 3 a population of more than one hundred forty-five thousand
 4 (145,000) but less than one hundred forty-eight thousand
 5 (148,000), or the executive's designee.

6 **(13) The executive of a city with a population of more than**
 7 **thirty-three thousand (33,000) but less than thirty-six**
 8 **thousand (36,000), located within a county with a population**
 9 **of more than one hundred forty-five thousand (145,000) but**
 10 **less than one hundred forty-eight thousand (148,000), or the**
 11 **executive's designee.**

12 **(14) One (1) member of the board of commissioners of a**
 13 **county with a population of more than one hundred forty-five**
 14 **thousand (145,000) but less than one hundred forty-eight**
 15 **thousand (148,000), appointed by the board of commissioners,**
 16 **or the member's designee.**

17 SECTION 2. IC 36-9-3-9 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. (a) A majority of the
 19 members appointed to the board constitutes a quorum for a meeting.

20 (b) Except as provided in ~~subsection~~ **subsections (c) and (d)**, the
 21 board may act officially by an affirmative vote of a majority of those
 22 present at the meeting at which the action is taken.

23 (c) If the authority includes a county having a population of more
 24 than four hundred thousand (400,000) but less than seven hundred
 25 thousand (700,000), then:

26 (1) an affirmative vote of a majority of the board is necessary for
 27 an action to be taken; and

28 (2) a vacancy in membership does not impair the right of a
 29 quorum to exercise all rights and perform all duties of the board.

30 **(d) This section applies to an authority that includes a county**
 31 **having a population of more than four hundred thousand (400,000)**
 32 **but less than seven hundred thousand (700,000). A member**
 33 **described in section 5(c)(12), 5(c)(13), or 5(c)(14) of this chapter**
 34 **may not vote on the distribution or payment of money by the**
 35 **authority unless a county with a population of more than one**
 36 **hundred forty-five thousand (145,000) but less than one hundred**
 37 **forty-eight thousand (148,000) pays to the authority the county's**
 38 **share of the authority's budget under this chapter and as agreed by**

1 the counties participating in the authority.".

2 Page 2, after line 21, begin a new paragraph and insert:

3 "SECTION 4. [EFFECTIVE UPON PASSAGE] (a) As used in this
4 SECTION, "commission" refers to the northwest Indiana
5 transportation, infrastructure, and economic development
6 coordination interim study commission established by this
7 SECTION.

8 (b) The general assembly finds that:

9 (1) the proximity of Lake County to the third largest
10 population center in the United States; and

11 (2) Lake County's location as the gateway between a highly
12 populated northern corridor of Indiana counties and Illinois;
13 present unique transportation, economic development, and
14 infrastructure challenges that require the establishment of the
15 commission.

16 (c) There is established the northwest Indiana transportation,
17 infrastructure, and economic development coordination interim
18 study commission. The commission shall do the following:

19 (1) Review the planning, oversight, financing, and
20 development of transportation services in northwest Indiana
21 and recommend changes directed at:

22 (A) improving the service delivery for all citizens of the
23 region;

24 (B) lowering long term costs; and

25 (C) consolidating organizational structures whenever
26 possible.

27 (2) Review planned expansion of transportation infrastructure
28 developments as to cost, scheduling, oversight, and authorities
29 involved and recommend changes consistent with improving
30 service delivery and economic development potential.

31 (3) Consider possible changes to economic development
32 organizational structures and their financing across the region
33 to facilitate economic growth and employment growth
34 throughout northwest Indiana.

35 (4) Review other infrastructure development projects vital to
36 northwest Indiana and consider how those projects may be
37 facilitated.

38 (5) Research and report any potential sources for funding of

1 a regional transportation authority.

2 (6) Study any other topic assigned by the legislative council.

3 (d) The commission consists of the following members:

4 (1) One (1) member appointed by the shoreline development
5 commission established by IC 36-7-13.5-2.

6 (2) One (1) member appointed by an airport development
7 authority established by an eligible entity described in
8 IC 8-22-3.7-4.5(1).

9 (3) One (1) member appointed by a regional transportation
10 authority that was established under IC 36-9-3-2 that serves
11 Lake County.

12 (4) One (1) member appointed by the northwestern Indiana
13 regional planning commission established by IC 36-7-7.6-3.

14 (5) One (1) member appointed by the county executive of Lake
15 County.

16 (6) One (1) member appointed by the county executive of
17 Porter County.

18 (7) One (1) member appointed by the county executive of
19 LaPorte County.

20 (8) Four (4) senators appointed by the president pro tempore
21 of the senate in consultation with the minority leader of the
22 senate, not more than two (2) of whom may be members of the
23 same political party.

24 (9) Four (4) representatives appointed by the speaker of the
25 house of representatives in consultation with the minority
26 leader of the house of representatives, not more than two (2)
27 of whom may be members of the same political party.

28 (e) Except as otherwise provided in this SECTION, the
29 commission shall operate under the policies governing study
30 committees adopted by the legislative council.

31 (f) The affirmative votes of a majority of the members appointed
32 to the commission are required for the commission to take action
33 on any measure, including final reports.

34 (g) This SECTION expires January 1, 2006.

35 SECTION 5. [EFFECTIVE UPON PASSAGE] (a) As used in this
36 SECTION, "board or commission" includes any:

37 (1) board;

38 (2) commission;

- 1 **(3) committee;**
- 2 **(4) council;**
- 3 **(5) panel;**
- 4 **(6) task force;**
- 5 **(7) authority;**
- 6 **(8) foundation; or**
- 7 **(9) bureau;**

8 **that was created by an executive order or by statute and that is in**
 9 **existence on July 1, 2005.**

10 **(b) The government efficiency commission is established.**

11 **(c) The government efficiency commission consists of the**
 12 **following members:**

13 **(1) One (1) cochairperson appointed not later than fifteen (15)**
 14 **days after the effective date of this SECTION by the president**
 15 **pro tempore of the senate.**

16 **(2) One (1) cochairperson appointed not later than fifteen (15)**
 17 **days after the effective date of this SECTION by the speaker**
 18 **of the house of representatives.**

19 **(3) Ten (10) members appointed by the president pro tempore**
 20 **of the senate not later than thirty (30) days after the**
 21 **appointment is made under subdivision (1), five (5) of whom**
 22 **must be appointed with the advice and consent of the minority**
 23 **leader of the senate.**

24 **(4) Ten (10) members appointed by the speaker of the house**
 25 **of representatives not later than thirty (30) days after the**
 26 **appointment is made under subdivision (2), five (5) of whom**
 27 **must be appointed with the advice and consent of the minority**
 28 **leader of the house of representatives.**

29 **(d) The following may not be members of the government**
 30 **efficiency commission:**

31 **(1) An elected or appointed state or local official.**

32 **(2) A person who on the effective date of this SECTION was**
 33 **appointed to or was otherwise serving on the board or as a**
 34 **member of a board or commission.**

35 **(3) A lobbyist (as defined by IC 2-7-1-10).**

36 **(e) The cochairpersons may appoint nonvoting advisory**
 37 **members to serve on the government efficiency commission.**

38 **(f) A member of the government efficiency commission is not**

1 entitled to a salary per diem.

2 (g) A member of the government efficiency commission is
3 entitled to reimbursement for traveling expenses and other
4 expenses actually incurred in connection with the member's duties,
5 as provided in state travel rules or the state budget act.

6 (h) The government efficiency commission shall meet upon the
7 call of the cochairpersons.

8 (i) The cochairpersons may advise the president pro tempore of
9 the senate, the minority leader of the senate, the speaker of the
10 house of representatives, and the minority leader of the house of
11 representatives concerning the appointment of other members of
12 the government efficiency commission.

13 (j) A quorum of the government efficiency commission must be
14 present to conduct business. A quorum consists of a majority of the
15 voting members appointed to the government efficiency
16 commission.

17 (k) The government efficiency commission may not take an
18 official action unless the official action has been approved by at
19 least a majority of the voting members appointed to serve on the
20 government efficiency commission.

21 (l) The cochairpersons may establish and appoint government
22 efficiency commission members to subcommittees as the
23 cochairpersons consider appropriate to carry out the government
24 efficiency commission's duties under subsection (m). The
25 cochairpersons shall name the chairperson of each subcommittee.

26 (m) The government efficiency commission shall do the
27 following:

28 (1) Make recommendations to improve efficiency and reduce
29 unnecessary costs associated with any board or commission or
30 state funded agency, department, or program.

31 (2) Review and make recommendations to the governor
32 concerning each board or commission about the following:

33 (A) Whether the board or commission should be continued,
34 reorganized, or combined with another board, commission,
35 or state agency.

36 (B) Whether the board or commission should be
37 terminated or allowed to expire.

38 (n) The government efficiency commission may accept donations

- 1 to carry out the purposes of this SECTION.
- 2 (o) The office of the governor shall provide staff support to the
- 3 government efficiency commission.
- 4 (p) The government efficiency commission shall provide its final
- 5 recommendations before October 1, 2005, to the governor.
- 6 (q) The governor shall:
- 7 (1) review the recommendations made by the government
- 8 efficiency commission under this SECTION; and
- 9 (2) before November 1, 2005, submit a report to the legislative
- 10 council recommending legislation necessary to carry out those
- 11 recommendations that the governor determines will improve
- 12 the efficiency and operations of state government.
- 13 (r) The legislative council shall:
- 14 (1) review; and
- 15 (2) determine what legislation should be prepared for
- 16 introduction in the 2006 regular session of the general
- 17 assembly with respect to;
- 18 the recommendations made under this SECTION.
- 19 (s) Nothing in this SECTION may be construed to authorize the
- 20 termination or reorganization of a board or commission except as
- 21 otherwise provided by law.
- 22 (t) This SECTION expires January 1, 2006.
- 23 SECTION 6. An emergency is declared for this act."
- 24 Renumber all SECTIONS consecutively.
- (Reference is to SB 30 as printed January 28, 2005.)

and when so amended that said bill do pass.

Representative Duncan